

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

NANCY WILSON, Regional Director of the Sixth Region of the NATIONAL LABOR RELATIONS BOARD, for and on behalf of the NATIONAL LABOR RELATIONS BOARD,

Civil No. 2:24-cv-01166-CB

Petitioner

v.

PG PUBLISHING CO., INC. D/B/A PITTSBURGH POST-GAZETTE,

Respondent

PETITIONER'S MOTION FOR RECONSIDERATION

Petitioner respectfully requests that this Honorable Court reconsider its Order dated February 5, 2025 (ECF No. 105) granting Respondent's Motion to Strike Petitioner's Brief in Support of Judgment (ECF No. 103) ("Respondent's Motion"). In support of this Motion, Petitioner states the following:

1. On January 21, 2025, this Court ordered the parties to file proposed findings of facts and conclusions of law. ECF No. 94.
2. Section III.D.15 of the Practices and Procedures of Judge Cathy Bissoon reads as follows:

In non-jury trials, Judge Bissoon requires the submission of proposed findings of fact and conclusions of law. The parties shall file consecutively numbered proposed findings of fact and conclusions of law. The proposed findings of fact shall address each contested issue of fact and cite support by clear and explicit reference to the record evidence relied upon. Each proposed conclusion of law shall be supported by citation to the appropriate authority. **With the proposed findings of fact and conclusion of law, the parties also shall file and serve a brief in support of judgment that integrates the proposed findings of fact with the proposed conclusions of law to demonstrate why the relief requested should be granted.** The supporting brief shall not exceed twenty (20) pages. The proposed findings of

fact and conclusions of law, along with the supporting brief, shall be filed within twenty (20) days of the final day of trial. The Court also requires that the parties separately submit to the Court their respective proposed findings and conclusions in an editable word processing format.

Practices and Procedures of Judge Cathy Bissoon, pp. 13–14 (emphasis added)

3. On February 3, 2025, Petitioner filed its Proposed Findings of Facts and Conclusions of Law (ECF No. 99) and, in an earnest effort to comply with the above-cited rule, filed an accompanying Brief in Support of Judgment (ECF No. 100).¹

4. On February 4, 2025, after receiving notification of Respondent's Motion, Counsel for Petitioner contacted Counsel for Respondent and requested that Respondent review the Practices and Procedures of Judge Cathy Bissoon and notify Petitioner by 1:00 PM on February 5, 2025, whether Respondent intended to withdraw its Motion. Respondent's Counsel indicated that he would review the relevant rules and that “[i]f the Chamber's Orders permits the briefing [Respondent] will withdraw.” A copy of these emails is attached hereto as **Exhibit A**.

5. At 11:46 AM on February 5, 2025, this Court issued its Order granting Respondent's Motion and striking Petitioner's Brief in Support of Judgment.

6. Upon information and belief, the above-described Order runs contrary to the Practices and Procedures of Judge Cathy Bissoon.

WHEREFORE, Petitioner respectfully requests that the Court grant this Motion for Reconsideration and rescind its Order granting Respondent's Motion and striking Petitioner's Brief in Support of Judgment.

¹ Conversely, Respondent's filing did not comply with the above-cited rule and, furthermore, evaded Judge Bissoon's explicit 20-page limit for supporting briefs by incorporating all of its legal arguments into an 84-page Proposed Findings of Fact and Conclusions of Law. ECF No. 101.

Dated at Pittsburgh, Pennsylvania this 6th day of February 2025.

/s/ Anne E. Tewksbury

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CERTIFICATE OF SERVICE

I hereby certify that on February 6, 2025, a copy of the foregoing ***Motion for Reconsideration*** was electronically filed using the CM/ECF system, through which this document is available for viewing and downloading, causing notice of electronic filing to be served upon the following counsel of record:

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